


**UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

FILED

JUN 25 2008


CLERK

No: 07-2430

Tri-State Financial, LLC,

Appellant

v.

John S. Lovald and Murphy Brothers,

Appellees

No: 07-2433

Tri-State Financial, LLC,

Appellant

v.

Robert E. Hayes and Davenport, Evans, Hurwitz & Smith,

Appellees

Appeal from U.S. District Court for the District of South Dakota
(1:06-cv-01040-CBK)
(1:07-cv-01003-CBK)

ORDER

The petition for rehearing en banc is denied. The petition for rehearing by the panel is also denied. Judge Wollman did not participate in the consideration or decision of this matter.

June 24, 2008

Order Entered at the Direction of the Court:
Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Michael E. Gans